

Draft Environmental Assessment

**Proposed Addition to
Garrity Mountain Wildlife Management Area**



Aspen stand and trail on proposed addition to Garrity Mountain WMA. (Mark Sommer photo)

July 2014



TABLE OF CONTENTS

1.0 Purpose of and Need for Action	4
1.1 Proposed Action and Need	4
1.2 Objectives of the Proposed Action	6
1.3 Location	6
1.4 Relevant Plans	7
1.5 Authority	7
2.0 Alternatives	8
2.1 Alternative A – Proposed Action	8
2.2 Alternative B – No Action	8
2.3 Alternatives Considered but Eliminated from Further Analysis – Conservation Easement	9
3.0 Affected Environment and Environmental Consequences	9
3.1 Land Use	9
3.2 Vegetation	10
3.3 Wildlife Species	11
3.4 Fisheries and Water Resources	13
3.5 Aesthetics and Recreation	14
3.6 Community and Taxes	15
3.7 Cultural and Historic Resources	15
3.8 Cumulative Effects	16
4.0 Resource Issues Considered but Eliminated from Detailed Analysis	16
4.1 Soils	16
4.2 Air Quality	16
4.3 Noise and Electrical Effects	17
4.4 Risk and Health Hazards	17
5.0 Need for an Environmental Impact Statement	17
6.0 Public Participation	17
6.1 Public Involvement	17
6.2 Duration of Comment Period	18
6.3 Timeline of Events	18

7.0 EA Preparation	18
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8.0 References	18
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Appendices

A. Draft Management Plan, Proposed Addition to Garrity Mountain Wildlife Management Area (2014)	20
B. Garrity Mountain WMA Management Plan (2001)	28
C. Integrated Pest Management Plan for Garrity Addition to Garrity Mountain WMA	34



Elk feeding on Garrity Addition. (Mark Sommer photo)

1.0 PURPOSE OF AND NEED FOR ACTION

1.1 Proposed Action and Need

Montana Fish, Wildlife and Parks (FWP) proposes fee-title acquisition of 640 acres currently owned by The Conservation Fund (TCF), as an addition to the adjoining 9,475-acre Garrity Mountain Wildlife Management Area (WMA). The acquisition parcel (hereafter, Garrity Addition or addition), is located 2 miles west of Anaconda in south-central Montana (Figure 1). The Garrity Addition provides critical winter and spring habitat for elk and is notable for its extensive aspen stand which provides high quality habitat for multiple species including 24 Montana Species of Concern and Potential Species of Concern.

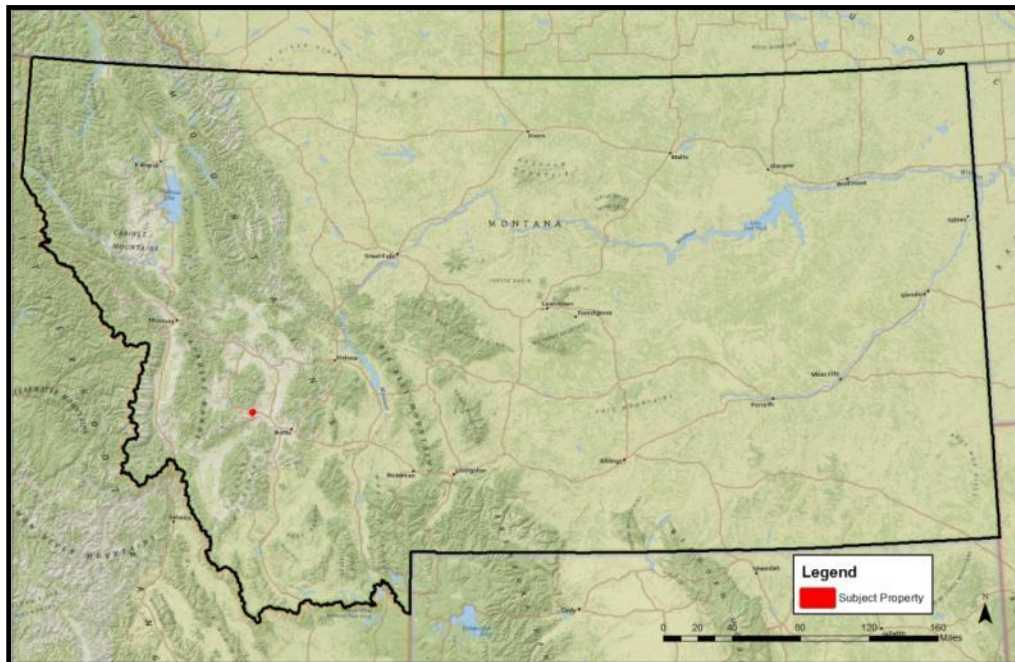


Figure 1. Locality map of Garrity Mountain WMA.

The Upper Clark Fork River Basin (UCFRB) and Anaconda in particular, suffered significant damages to natural resources as a result of decades of mining and smelting of ore and associated activities in the watershed. The State of Montana sued Atlantic Richfield Company (ARCO) for damages in 1983, which resulted in a series of settlements in 1999, 2005 and 2008. These settlements are administered by the Montana Department of Justice's Natural Resource Damage Program (NRDP). Funds from these settlements have been used to remediate, restore, and replace groundwater, terrestrial and aquatic resources in the watershed. Funds are available for the purchase of properties that would replace lost aquatic, terrestrial, or recreational resources.

The Garrity Addition would replace lost resources and has high resource values. It has habitats prioritized for conservation by Montana's Comprehensive Fish and Wildlife Conservation Strategy (FWP 2005) and the Upper Clark Fork River Basin Terrestrial Wildlife Resource Prioritization (DuBois et al. 2011). In addition it is in a landscape targeted for expenditure of funds for terrestrial resource replacement. Purchase of the property was specifically identified as an opportunity in the Final Upper Clark Fork River Basin Aquatic and Terrestrial Resources Restoration Plans (NRDP 2012).

The appraised value of the Garrity Addition and sale price from TCF to FWP is \$1.38 million. As proposed, NRDP would pay \$1.28 million, FWP would pay \$50,000 from the Habitat Montana Fund, and the Montana Fish & Wildlife Conservation Trust would pay \$50,000 to convey the property to FWP.

FWP intends to manage the property to conserve and enhance fish and wildlife habitat as well as provide public recreational opportunities. The addition provides habitat for a diversity of wildlife species due in part to extensive aspen and riparian habitats, which provide ecological values (e.g., breeding, nesting, foraging) in excess of their footprint on the landscape. Almost half of the land is comprised of aspen groves, riparian areas, wetlands, water, coniferous forests, grasslands, and shrublands; formerly irrigated pasture or meadows comprise the rest. Ice House Gulch, a small reservoir on Ice House Gulch, and at least 2 other ponds provide riparian habitat (Figures 2 and 3).

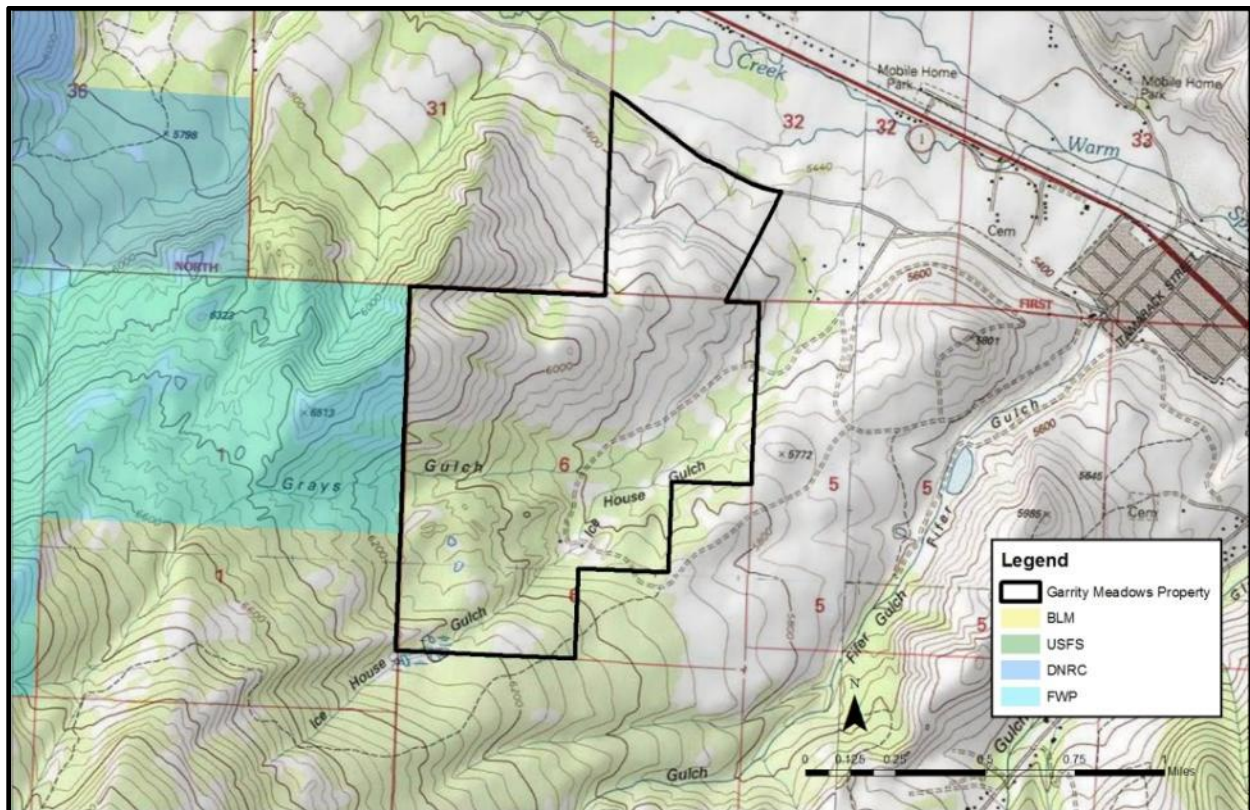


Figure 2. Topographic map of proposed Garrity Addition.

The addition has abundant opportunities for outdoor recreation including hunting, hiking, horseback riding, fishing, trapping, and wildlife watching in immediate proximity to Anaconda. Purchase would provide more favorable access to the WMA and complement the existing Garrity Mountain WMA by providing additional winter range and dense stands of aspen. The acquisition would also protect the existing resource values by precluding development (e.g., subdivision) of the property or other management practices that might occur under private ownership, which could be incompatible with fish and wildlife objectives. Simultaneously the addition would conserve critical wildlife habitat and provide for public access with funds dedicated specifically to restoration of the UCFRB and replacement of lost resources.

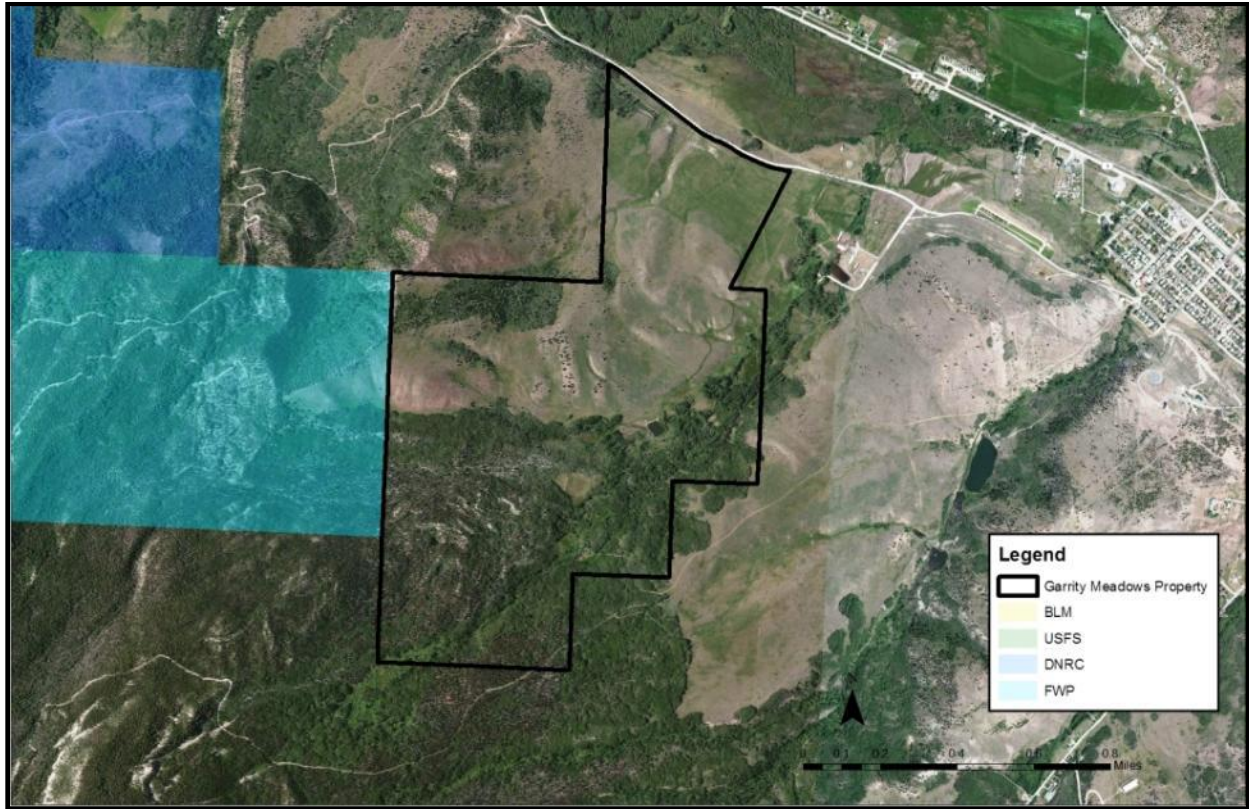


Figure 3. Aerial photo of proposed Garrity Addition.

1.2 Objectives of the Proposed Action

FWP objectives for purchase of the Garrity Addition are:

- To protect and enhance critical elk calving grounds and winter range
- To protect and enhance other seasonal habitats for a diverse complement of fish and wildlife
- To establish and maintain public access and outdoor recreation opportunities
- To facilitate and complement management of the existing Garrity Mountain WMA
- To replace lost and injured resources that were the subject of the Montana vs. ARCO settlement

1.3 Location

The Garrity Addition is located in Anaconda-Deer Lodge County, approximately 2 miles west of Anaconda in the foothills between Warm Springs Creek to the north and Mount Haggin and the Continental Divide to the south.

The Garrity Addition includes 640 acres:

Government Lots 1, 2, 3, 4 and 5 located in Section 6, Township 4 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County, Montana as shown on Certificate of Survey 268-B.

The S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ located in Section 6, Township 4 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County as shown on Certificate of Survey No. 211-B.

Tract B, being a tract of land located in a portion of Section 32, Township 5 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County, Montana, as shown on Certificate of Survey No. 325-B.

The proposed addition is: adjacent to the east of Garrity Mountain WMA (9,475 acres), $\frac{1}{2}$ -mile southeast of 480 acres owned by Montana Department of Natural Resources and Conservation (DNRC), 2 miles south of Stucky Ridge WMA (296 acres), and 5 miles north of Mount Haggin WMA (58,188 acres). Thousands of acres of the Beaverhead-Deerlodge National Forest in the Flint Creek Mountain Range to the north and the Anaconda-Pintler Range to the south define this landscape. Anaconda-Deer Lodge County leases an adjoining 4,734 acres of land owned by Mountain Lion LLC (locally referred to as the Hearst Lake property).

1.4 Relevant Plans

Montana's Comprehensive Fish & Wildlife Conservation Strategy (FWP, 2005; hereafter, Strategy) identifies habitats and species prioritized for conservation statewide. The proposed Garrity Addition includes riparian and wetland community types and intermountain-foothill grasslands. In the Strategy these community types are identified as Tier 1 (highest) priority community types for conservation. Lands west of Anaconda abut the 175,260-acre Deer Lodge Valley, which is identified in the Strategy as one of 10 Terrestrial Focus Areas in the state. While the Garrity Addition falls outside the Deer Lodge Valley focus area, it shares similar attributes.

The **Upper Clark Fork River Terrestrial and Aquatic Restoration Plans** (NRDP 2012) guide restoration activities in the UCFRB on identified priority lands and waters. The Anaconda landscape is one of 8 landscapes identified in the watershed for near-term expenditure of Terrestrial Resource Funds (approximately \$20 million as of July 2014). Aspen, riparian, and native grassland habitats, all of which occur on the addition, are of highest priority for restoration and replacement efforts.

The **Anaconda-Deer Lodge County Growth Policy** (ADLC 2010, adopted 2011) serves as a planning guide for local officials and citizens. It summarizes the existing demographic, social, and economic status and trends in Anaconda-Deer Lodge County and provides goals, policies, and actions for public policy (ADLC 2010). ADLC goals identified in its Growth Policy that are applicable to the proposed Garrity Addition acquisition are summarized in this EA in Section 3.6 (Community and Taxes).

1.5 Authority

The department, with the consent of the Fish and Wildlife Commission and the Montana Land Board has authority to purchase lands that are suitable for game, bird, fish or fur-bearing animal restoration, propagation or protection; for public hunting, fishing, or trapping areas; and for state parks and outdoor recreation as per state statute 87-1-209, Montana Code Annotated (MCA).

FWP is required by state law to implement programs that address fire mitigation, pine beetle infestation, and wildlife habitat enhancement, giving priority to forested lands in excess of 50 contiguous acres in any state park, fishing access site, or wildlife management area under the department's jurisdiction [87-1-201(9), MCA]. FWP has prepared a Management Plan (Appendix A) that outlines our approach to address these issues for the proposed Garrity Addition.

2.0 ALTERNATIVES

2.1 Alternative A – Proposed Action: FWP would purchase 640 acres from The Conservation Fund as an addition to the Garrity Mountain WMA

FWP proposes fee title acquisition of 640 acres owned by TCF and the addition of this land to the existing Garrity Mountain WMA. The addition provides winter range and calving habitat for elk in the eastern portion of Hunting District (HD) 214 (Georgetown Lake to Mill Creek). Aspen stands occupy 251 acres (39%) of the property and provide habitat for numerous wildlife species. The property adjoins the Garrity Mountain WMA to the west, and 480 acres of DNRC, on which FWP holds the grazing lease, are ½-mile to the northwest.

Funding for the purchase has been secured with a commitment of \$50,000 from the FWP Habitat Montana fund, \$50,000 from the Montana Fish & Wildlife Conservation Trust, and \$1.28 million from NRDP--contingent on FWP issuing an EA Decision Notice in favor of the purchase and final approval by the Fish and Wildlife Commission, the Montana Land Board, and the Governor. NRDP has completed its public involvement process for this project, and public support for NRDP to fund the project was strong (43 letters and signatories for, 1 against [G. Mullen, NRDP, pers. comm.]). The NRDP Advisory Council and NRDP Trustee's Restoration Council approved funding on 18 June 2014 and 26 June 2014, respectively.

Project costs for a Hazardous Materials Search, water rights research, geological remoteness determination, appraisal, and other necessary due-diligence and administration activities have been borne by TCF and NRDP. The Garrity Addition would be managed as part of the Garrity Mountain WMA and as such, activities would be directed by a new management plan (Appendix A) as well as the existing management plan (Appendix B). FWP has prepared a weed ("integrated pest") management plan (Appendix C) which has been approved by Anaconda-Deer Lodge County. In addition to approval of \$1.28 million for a portion of the property's purchase cost, NRDP has approved \$80,000 to be used for start-up operations and maintenance funds in the first 5 years of FWP ownership. These funds would be used to remove, repair, and construct fences, treat invasive weeds, place signage, construct a parking area, and complete other management needs that arise. Current FWP staff would be used for maintenance, enforcement, natural resource surveys and inventory, and administration.

FWP would act as a good neighbor to adjoining landowners by controlling weeds, maintaining fencing, providing reciprocal management access, and adhering to the spirit of the now-expired Good Neighbor bill (23-1-126, MCA). FWP pays taxes on its WMAs, and taxes are anticipated to be approximately \$1,400 in 2015.

2.2 Alternative B – No Action: FWP would not purchase 640 acres from The Conservation Fund as an addition to the Garrity Mountain WMA

Under the No Action Alternative, FWP would not purchase the 640 acres proposed as an addition to the Garrity Mountain WMA and the property would remain under ownership of TCF. TCF does not own and manage property, but rather functions as a conservation intermediary to convey lands with high-value natural resources to agencies that have the capacity and will to manage them in perpetuity. TCF would ultimately be obliged to sell the property, most likely to a private buyer. Depending on the values and management approach of the buyer or subsequent owners, the land could be subdivided and developed, or otherwise managed in a manner that conflicts with FWP's objectives for the addition and the adjoining Garrity Mountain WMA. Public access to the TCF lands for outdoor recreation is unlikely if it were to become privately owned.

2.3 Alternatives Considered but eliminated from further analysis: Conservation Easement

This option is not viable because the owner is not interested in donation or sale of a conservation easement.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 Land Use

A search by the State Historic Preservation Service (SHPO) revealed that the Garrity Addition is part of the Anaconda/Butte/Pacific Railway District, a power line running from Anaconda to Philipsburg was present, and a historic water flume crossed the property. The property has had other uses than as a utility corridor--cabins, a corral in an old field, and ice house show evidence of habitation. Mine workings are found throughout the southwestern part of the property.

In contemporary times the land has been used primarily as pasture with some irrigation and haying occurring along the Stumptown Road (also locally known as South Cable Road). The land was grazed by domestic stock until several years ago. There has not been any recent road construction or timber harvest.

Fences are in poor condition or nonexistent throughout the proposed addition. A dilapidated split-rail fence runs along Stumptown Road and along a mile of the western boundary. No fencing has been found on the southwestern or southern boundaries and it largely absent on the east. On 28 June 2014, Rocky Mountain Elk Foundation (RMEF) volunteers removed a mile of mostly down, internal fencing. The existing road access is found off the Stumptown Road (Figure 4), off the Hearst Lake Road, and on a couple of dirt tracks from neighboring properties.

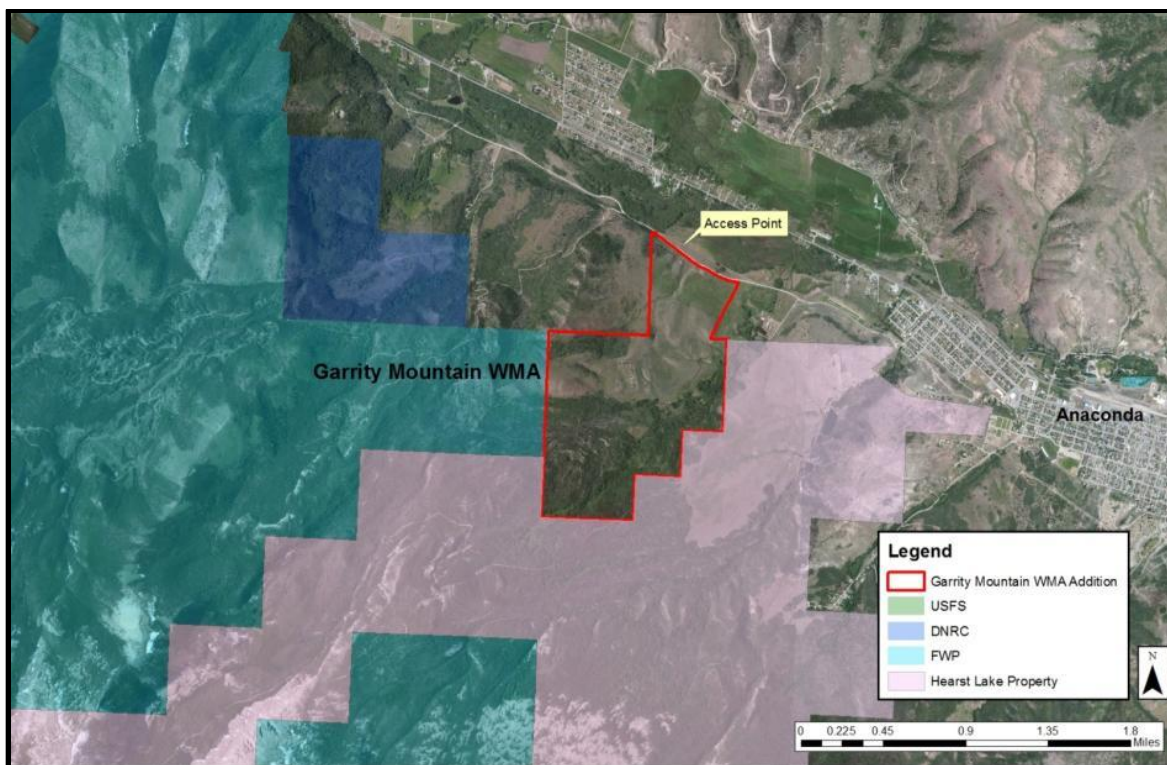


Figure 4. Proposed public parking area (access point) to the Garrity Addition in relation to nearby land ownership.

A mineral guarantee purchased on 10 March 2014 showed that the mineral rights are held in split estate. Mineral rights tied to the land would be conveyed to FWP at closing and the department would acquire the rest of the rights if feasible at a later time. Mineral development is unlikely; a remoteness test conducted on 12 March 2014 found that the potential for mineral development is negligible.

Proposed Action: FWP would obtain ownership of the proposed Garrity Addition along with associated water and mineral rights. Management priority would be for fish and wildlife resources. Public access would be provided to the extent that it is compatible with the stewardship of natural resources onsite. Management actions would be selected when they enhance wildlife habitat. Public use of and FWP management of the property would occur as directed by the Garrity Addition Management Plan (Appendix A). Due to the small size of the property, its high value to wildlife and the vulnerability of wintering and calving elk to disturbance, the property would only be open to non-motorized use and a seasonal closure would be in place from December 2 to May 15 at noon. These closure dates are consistent with the management of the rest of the WMA, and with FWP's standard closure dates for WMAs having big game winter range. FWP would construct a parking area to facilitate and direct access from Stumptown Road (Figure 4).

No Action: Under the No Action Alternative, there is a high likelihood that TCF would find another buyer. The probability that the land would remain in its current undeveloped condition and public access would be beyond the control of FWP.

3.2 Vegetation

The Montana Natural Heritage Program (MNHP) maintains a statewide land cover map that shows the distribution and extent of habitat types across the State of Montana. This map, in tandem with field observations, was used to determine the habitat types and associated acres on the proposed Garrity Addition (Table 1).

Table 1. Montana Land Cover, Level I (Montana Natural Heritage Program cover mapping).

Land Cover	Acres
Forests & Woods, predominantly aspen	251
Intermountain Grasslands	166
Shrubland, Steppe, & Savanna	57
Wetland, Riparian & Water	40
Nonnative pasture	115
Developed	5
Total classified systems	634

Aspen patches and interspersed conifers cover 251 acres of the proposed addition. This is notable because aspen provides habitat for many game and nongame species and its value to wildlife is, like riparian and wetland habitats, disproportionately greater than its footprint on the landscape. Aspen is a pioneering species and its extent on the addition is because it became established and has thrived where toxicity from smelter emissions killed much of the other vegetation.

Native grasslands are found on 166 acres. They are used by elk year-round, and in fair condition. Inclusions of spotted knapweed exist in the intermountain grassland communities. Elk winter range is limited between Anaconda and Georgetown Lake and the addition is an important portion of it.

Riparian habitats occur along 1½ miles of Ice House Gulch, its reservoir, and at least 2 other ponds, providing breeding and rearing habitat for birds, bats, reptiles, and amphibians. In the West, riparian habitats make up to 5% of the landscape and are used by 90% of the wildlife.

Non-native pasture and irrigated land occupy 115 acres along Stumptown Road. Pasture may produce small mammals that are preyed upon by raptors and carnivores.

Invasive weeds are present on an estimated 28 acres with spotted knapweed dominant, and leafy spurge, common houndstongue, and Canada thistle also present.

Proposed Action: With adoption of the proposed alternative FWP would conserve and enhance native habitats on a unique property with high value for wildlife. Development or subdivision would be precluded. Weeds would be treated within a year of purchase. Old fencing would be removed to reduce injury or death to wildlife that may strike or become entangled in it. Critical habitat for a locally significant elk herd would be protected.

Since a primary objective is to protect and enhance critical elk winter range and up to 200 elk are now wintering on the addition and adjoining Hearst Lake property, FWP does not anticipate grazing livestock. This approach is consistent with management of the existing WMA and the nearby 480 acres of DNRC property on which FWP holds the grazing lease. The fact that there are few neighbors and they are not focused on livestock production would allow FWP to minimize fencing and manage range without concern about trespass cattle.

Little merchantable timber is present and FWP does not anticipate prescribing timber harvest in the next decade. Conifers amongst the aspen or encroaching on grasslands may be thinned. Aspen clones regenerate with the application of fire, disturbance of soil, and/or removal of competing conifers. Where aspen stands are in decline these treatments may be used to revitalize them.

FWP would not irrigate. Water associated with the water rights would be allowed to reach Warm Springs Creek where it would contribute to maintaining flows when they are most needed in the summer and early fall.

FWP has completed a weed inspection as required by 7-22-2154, MCA and would coordinate weed management activities with ADLC (Appendix C). If the Garrity Addition is acquired, FWP would spot-treat weeds in 2015 to prevent their spread and further degradation of native range.

No Action: By not purchasing the property, FWP would lose the opportunity to conserve and enhance native vegetation for wildlife. Subsequent owners could, through differing management or possible development, compromise the natural resources that the public values. It is unknown how the elk herd would respond, but if winter range is compromised or elk displaced, adverse impacts to elk are likely.

3.3 Wildlife Species

One hundred fifty-one wildlife species (48 mammals, 97 birds, 4 amphibians, and 2 reptiles) have been verified in the Anaconda area in habitats similar to those found on the Garrity Addition. Aspen, riparian, and native grasslands provide important seasonal ranges for multiple species. The parcel provides habitat for a suite of managed species, including elk, mule deer, white-tailed deer, moose, black bear, mountain

lion, wolf, bobcat, beaver, muskrat, mink, dusky grouse, and ruffed grouse. The aforementioned big game species and grouse are known to occur; the aquatic furbearers may be present based on the availability of appropriate habitat.

The proposed addition adjoins Garrity Mountain WMA and would protect critical elk winter range in the eastern portion of HD 214. The elk herd is stable in number. In recent years, their distribution has shifted east, and more elk have wintered on the proposed addition and adjoining private lands than on Garrity Mountain WMA itself. When the snow is too deep, hard packed, or crusty elsewhere, winter range between Georgetown Lake and Anaconda is constricted and elk are found atop Garrity Mountain, on the addition, and on the adjoining Hearst Lake property. Incorporation of the Garrity Addition into the existing WMA would accommodate this shift in elk distribution, protect the crucial winter range, and assure that the Garrity Mountain WMA continues to meet its goal of providing winter range for elk populations west of Anaconda.

Elk make extensive use of the property in the winter (Figure 5). During an aerial survey on 24 March 2014, 190 elk were observed wintering on the property. This was 69% of all elk in the eastern portion (Georgetown Lake to Mill Creek) of HD 214. In exceptionally harsh months like February and March of 2014, the property supports the majority of elk in the area. Extensive use also occurs during the spring and fall when elk utilize the property's aspen stands for calving and rutting. Elk are frequently observed by residents, were observed during 5 of 6 field visits by the FWP area wildlife biologist, and are consistently recorded during aerial surveys. Anaconda residents enjoy watching elk on the property.

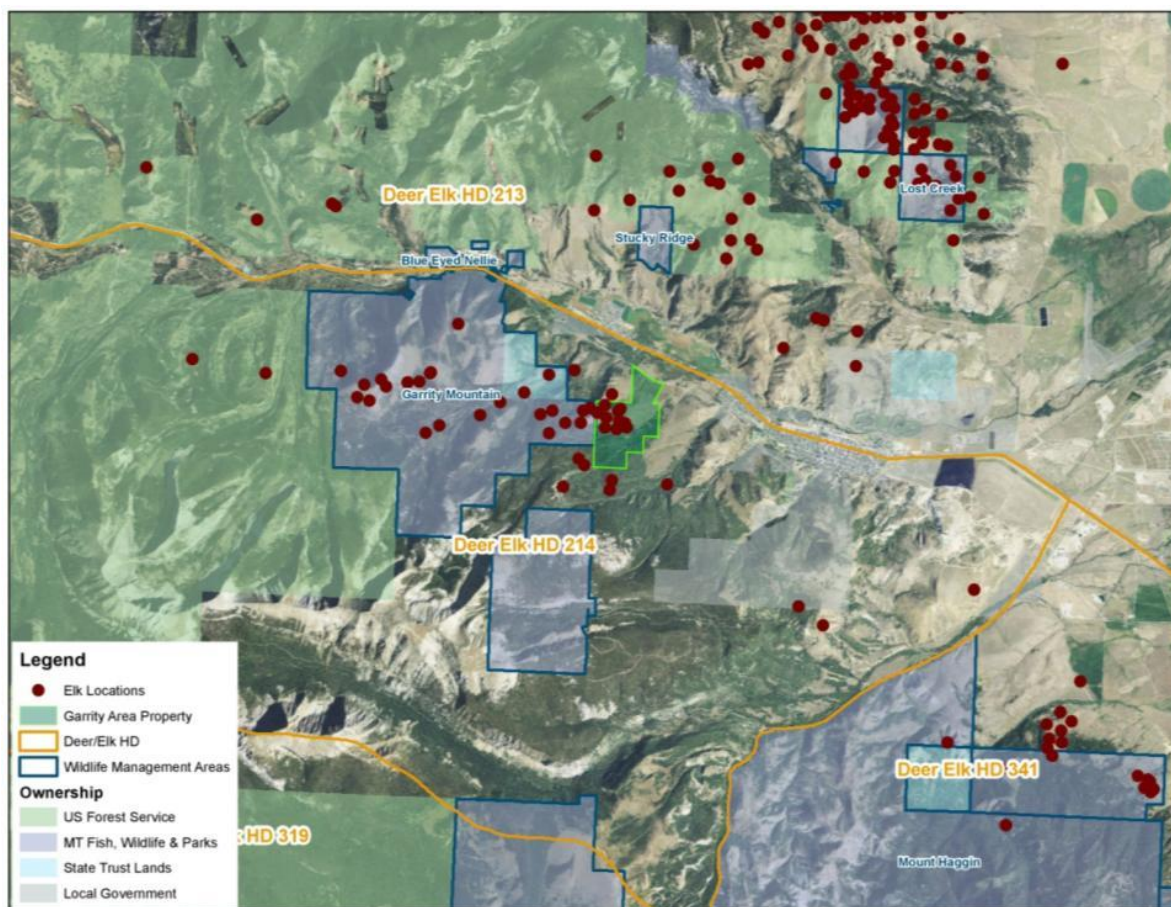


Figure 5. Elk locations during winter range surveys by FWP, 1984 to 2014.

Montana Species of Concern (SOC¹) and Potential SOC (PSOC) possibly present on the property (either foraging or breeding) include the dwarf shrew, Preble's shrew, little brown bat, hoary bat, silver-haired bat, fringed myotis, porcupine, western toad, western screech-owl, great gray owl, golden eagle, northern goshawk, peregrine falcon, veery, great blue heron, Cassin's finch, Clark's nutcracker, evening grosbeak, rufous hummingbird, brown creeper, green-tailed towhee, gray-crowned rosy-finch, pileated woodpecker, and Lewis's woodpecker. The property has not been surveyed for small mammals, reptiles, amphibians, bats, or songbirds (although some bat and songbird surveys have been conducted in similar habitats nearby). Species that are targeted for restoration in the NRDP's Restoration Plan (NRDP 2012) that are likely to use the property include waterfowl, herons, raptors, amphibians, woodpeckers, insectivorous birds, bats, and burrowing mammals.

Wolves are occasionally found in the area (L. Bradley, FWP, pers. comm.), and in 2005 a male grizzly bear was poached near Cabbage Gulch 5 miles to the southeast (J. Jonkel, FWP, pers. comm.). The presence of these wide ranging carnivores and herds of elk that converge on the property from the Anaconda-Pintler Range and its foothills demonstrates that the addition contributes to the connectivity of lands running east to west along the Continental Divide and north into the Flint Creek Range. Overall a high level of connectivity and protected lands characterize this area, but developed lands in the corridor west of Anaconda are a constriction for wildlife movement.

Proposed Action: Under the Proposed Action, FWP would protect critical elk winter range and calving habitat between Anaconda and Garrity Mountain. The purchase would benefit migratory songbirds, small mammals, amphibians, and reptiles while providing hunting and wildlife viewing opportunities. Existing native vegetation that supports multiple SOC and PSOC would be conserved and enhanced. Habitat connectivity would be retained. FWP would meet the department's wildlife objectives for Garrity Mountain WMA.

No Action: If no action were taken, FWP would be unable to protect and enhance crucial winter range for elk. The conservation of aspen, riparian, and native habitats utilized by big game, furbearers, upland birds, amphibians, and reptiles would not be assured.

3.4 Fisheries and Water Resources

Based on topographic maps, two streams are present on the property. These streams are Ice House Gulch and Grays Gulch. Ice House Gulch is the only perennial stream found on the property. It flows 1.2 miles through the parcel with an additional 0.7 mile of ditch habitat located in the vicinity of lower Grays Gulch. Less than 2 cubic feet per second (cfs) of water are carried by Ice House Gulch in the summer. Ice House is mostly diverted, but at high flows is connected to Warm Springs Creek, which is identified as a Priority 1 stream for aquatic restoration in the Restoration Plan (NRDP 2012). A ¾-acre reservoir and at least 2 small on-channel ponds are present on Ice House Gulch. The reservoir is located outside of the historic Ice House Gulch watershed, although the channel is diverted into the reservoir in its entirety year-round. Grays Gulch has no evident natural channel.

During a 4 June 2014 fish survey, moderate to high densities of small brook trout from young-of-the-year up to 6" were sampled in Ice House Gulch and in ditch habitats downstream of the reservoir. The reservoir and on-channel ponds were not surveyed, but it is likely all support brook trout. It is also likely

¹ A native animal breeding in Montana that is considered to be "at risk" due to declining population trends, threats to its habitats, and/or restricted distribution. The purpose of Montana's SOC listing is to highlight species in decline and encourage conservation efforts to reverse population declines and prevent the need for future listing as Threatened or Endangered Species under the Federal Endangered Species Act. See <http://fwp.mt.gov/fishAndWildlife/species/speciesOfConcern/>. Accessed 29 July 2014.

the wetland habitats associated with these areas support Columbia spotted frogs, although none were observed during the fish survey in early June. Given the small size of the fish present in Ice House Gulch, opportunities for fishing on the proposed addition are limited.

Proposed Action: Under the Proposed Action, water resources on the property would be maintained or enhanced by protecting riparian areas. There are no proposed changes that would occur under state ownership which would result in increased discharge, changes in drainage patterns, alteration of Ice House Gulch's course, changes in the quality or quantity of groundwater, and/or changes in water rights for other water users. Stocking of native trout could be an option in the reservoir to increase fishing opportunities in the future. At closing FWP would acquire senior water rights: a right to draw 1.25 cfs from Ice House Gulch (1894) for irrigation and two irrigation rights from Grays Gulch (1899), one for 1 cfs and another for 1.88 cfs (1889).

No Action Alternative: If FWP does not purchase the property, it is unknown how water resources would be affected by the management of future owners.

3.5 Aesthetics and Recreation

The proposed addition occupies a prominent viewshed west of Anaconda looking towards Mount Haggin. There are no homes on the ridge of the addition which block views of Mount Haggin or Garrity Mountain. Currently there is no public recreational access to the property. Although access to the Hearst Lake property to the east is non-motorized some public recreation occurs on it. Public use also occurs on the adjoining portion of the Garrity Mountain WMA.

Proposed Action: Under the proposed action no change would occur on the property that would change the viewshed in the West Valley (the area west of Anaconda). Non-motorized public access would be allowed from noon on May 15 through December 1. The public would gain outdoor recreational access including hunting access to 640 acres west of Anaconda. To the extent that recreation does not conflict with the conservation of soil, water, vegetation, and wildlife there would be opportunities for hunting, wildlife viewing, trapping, hiking, mountain biking, horseback riding, cross country skiing, and picnicking. In order to preserve the high wildlife values of the parcel, especially for wintering and calving elk, seasonal closures would be in effect from December 2 to May 15 at noon.

The property is only 640 acres, and is located only 2 miles west of Anaconda, so increased recreation use is expected under FWP ownership. Heavy recreation use, particularly motorized use, would likely displace elk and potentially other wildlife. Therefore, public access would be walk-in only, and motorized traffic would be prohibited.

No Action: If FWP decides not to purchase the proposed addition to Garrity Mountain WMA, TCF may provide public access by permission until another buyer is found. Future access for public recreational opportunities under different owners is unknown. There would be a high likelihood that public access to hunting and other recreational opportunities would be minimal or nonexistent if this property were sold to a private party.

Impacts to aesthetics and the viewshed from Anaconda's West Valley to Garrity Mountain and Mount Haggin would depend on the owner. Over time the proximity to Anaconda, and the resource and recreational values of the parcel could lead to housing being built by a recreational buyer or developer, which might compromise the scenic views.

3.6 Community and Taxes

The 2013 estimated population in Anaconda-Deer Lodge County was 9,329 (US Census Bureau 2014). State and local government are the largest employers, followed by health care and the accommodations/food service industry (ADLC 2010). The ADLC Growth Policy states the following goals²:

- Build a stable diversity of basic businesses and industries in and around Anaconda.
- Create opportunities for local government, economic development organizations, and the local business community to work together on projects and programs to promote business and industry development.
- Expand visitation and tourism as a component of the base economy.
- Focus on renewable alternative energy development as both a means to expand the base economy and to foster community sustainability.
- Support job opportunities so that more young people can remain in the community after graduation from high school, college, or trade school, and to attract new residents and families to the community.
- Reduce the 'leakage' of retail dollars going to other communities.

Current taxes on this land are approximately \$1,400/year based on the current assessment.

Proposed Action: No change in the tax base would result if the property were conveyed to FWP. The department is required by law to make tax payments to counties equal to what a private landowner would be required to pay: FWP shall pay “to the county in a sum equal to the amount of taxes that would be payable on county assessment of the property if it was taxable to a private citizen (87-1-603, MCA).”

Purchase of the Garrity Addition would, however, preclude future subdivision of the property and potential increased revenues to the county that might result.

No Action: Under the no action alternative the impact to county tax rolls is dependent on the actions of subsequent owners. TCF is unlikely to develop, divide, or otherwise take action to change the parcel's taxable value; so, in the near term there is unlikely to be a change in the property's taxable value. If TCF or subsequent owners were to sell the land to an entity that wishes to develop (e.g., subdivide) the property, then the taxable value to ADLC would be expected to increase.

3.7 Cultural and Historic Resources

State agencies are required by law to consult with the State Historic Preservation Office to identify and locate any heritage properties on lands owned by the state and assess if they would be adversely impacted by a proposed action or development project (22-3-433, MCA). SHPO completed a cultural resource file search on 15 July 2014. This search revealed that the area is within the Anaconda/Butte/Pacific Railway District, has a historic power line to Philipsburg, and has a historic wood pipeline.

These features were not observed during field visits by the FWP area wildlife biologist. An icehouse and several historic cabins were, however, seen in a meadow along Ice House Gulch. Considering all the cultural and historic resources SHPO concluded, “As long as there would be no disturbance or alteration

² Ch. 2 Population and Economy, Part 3 Goals, Policies and Actions, page 2-21

to structures over fifty years of age we feel that there is a low likelihood cultural properties would be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time” (D. Murdo, SHPO, pers. comm., July 15 & 16, 2014).

Proposed Action: FWP’s proposed acquisition would have either a neutral or a positive effect on cultural or historical resources by securing and managing them in public ownership.

No Action: Selection of the no action alternative would have no known impacts to cultural and historic resources, but would leave the possibility open for future private owners to remove or alter these resources.

3.8 Cumulative Impacts

Proposed Action: If FWP purchases the proposed Garrity Addition from TCF there would be positive near and long term effects to fish and wildlife, native vegetation, and public recreational access. The addition of 640 acres east of Garrity Mountain to the existing WMA would facilitate management of the existing FWP lands, preclude subdivision, and provide a buffer from disturbance that might occur on nearby private lands. Adoption of the proposed alternative would protect critical winter ranges for elk residing between Georgetown Lake and Mill Creek and conserve wildlife connectivity in the long-term.

No Action: The pace and intensity of impacts to wildlife and its habitat would depend on subsequent owners, the pattern and intensity of potential development. If the property were subdivided and/or otherwise developed, the effect would be negative. In the near term, the no action alternative may have a neutral effect on wildlife and its habitat since TCF would retain ownership.

4.0 RESOURCE ISSUES CONSIDERED BUT ELIMINATED FROM DETAILED ANALYSIS

The Montana Environmental Policy Act (MEPA) provides for the identification and elimination from detailed study, issues which are not significant or which have been covered by a prior environmental review. This narrows the discussion of these issues to a brief presentation of why they would not have a significant effect on the physical or human environment or provides reference to their coverage elsewhere (Administrative Rules of Montana (ARM) 12.2.434(d)). While these resources are important, FWP anticipates they would be unaffected by the proposed action or if there are any effects, those influences could be adequately mitigated below significance and thus were eliminated from further detailed analysis.

4.1 Soils

The Granite County Extension Service produced a custom soil resource report for the Garrity Addition (16 July 2014). Fifteen soils were identified with 42% loam soils and the remainder complex soil types. The property has low agricultural productivity overall with opportunity to produce grass legume hay (alfalfa) in the hayfield near Stumptown Road and in the old field meadows along the lower reach of Ice House Gulch. According to the Natural Resources Conservation Service (NRCS) soil service website there are 62 acres of farmland of local importance, 19 acres of statewide importance, and no prime farmland.

4.2 Air Quality

Under either alternative, there are not likely to be changes to the ambient air quality, and neither FWP nor TCF plan any construction or development activities that could affect particulate levels and air quality.

4.3 Noise and Electrical Effects

Potential for changes in noise levels are expected to be minimal since the rural character of the property would be unchanged. Any changes in noise levels that do occur would depend on FWP's authorized recreational activities and the intensity of those activities in a specific location.

Existing electrical structures and pipelines would not be affected by either alternative.

4.4 Risk and Health Hazards

As part of due diligence, TCF contracted for a hazardous materials survey, which was completed in February 2014. No hazardous materials or health hazards were detected.

5.0 NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the significance criteria evaluated in this EA, an Environmental Impact Statement (EIS) is not required. The proposed action only has a limited number of minor impacts and no significant negative impacts, so an EIS is not required and an EA is the appropriate level of review.

6.0 PUBLIC PARTICIPATION

6.1 Public Involvement

The public will be notified in the following manners about the opportunity to comment on this current EA, the proposed action and alternative:

- Legal notice will be published twice each in these newspapers: *Anaconda Leader*, *Independent Record* (Helena), *Missoulian*, and *Montana Standard* (Butte).
- Public notice will be posted on FWP's webpage: <http://fwp.mt.gov> ("Public Notices"); the Draft EA will also be available on this webpage, along with the opportunity to submit comments online.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 2 issues; this news release will also be posted on FWP's website <http://fwp.mt.gov> ("News," then "News Releases").
- Direct mailing or email notification to adjacent landowners and other interested parties (individuals, groups, agencies).

Copies of this draft EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 406-542-5540; by emailing shrose@mt.gov; or by viewing FWP's Internet website <http://fwp.mt.gov> ("Public Notices," beginning August 1, 2014).

This level of public notice and participation is appropriate for a project of this scope with no significant physical or human impacts and only minor impacts that can be mitigated.

6.2 Duration of Comment Period

The public comment period will extend for thirty (30) days. Comments must be received by FWP not later than 5:00 p.m. on September 2, 2014.

Comments may be made online on the EA's webpage, mailed to the FWP address below, or emailed to Sharon Rose at shrose@mt.gov.

Montana Fish, Wildlife & Parks
Region 2
Attn: Garrity Addition EA
3201 Spurgin Road
Missoula, MT 59804

For questions about the project, please contact Ray Vinkey by email at rvinkey@mt.gov or by phone at 406-859-1704.

6.3 Timeline of Events

EA Public Comment Period	August 1 to September 2, 2014
FWP Decision Notice	September 15, 2014
FWP Commission Decision	October 16, 2014
Montana Land Board Decision	October 20, 2014

7.0 EA PREPARATION

EA Preparer:
Ray Vinkey, FWP Wildlife Biologist, Philipsburg, MT

Parties Consulted:

- Rebecca Cooper, FWP MEPA Coordinator, Helena, MT
- Kristi DuBois, FWP R-2 Non-game Wildlife Biologist, Missoula, MT
- Dave Dziak, FWP WMA Manager, Warm Springs, MT
- Darlene Edge, FWP Lands Agent, Helena, MT
- Jason Lindstrom, FWP Fisheries Biologist, Deer Lodge, MT
- Greg Mullen, NRDP, Scientist, Helena, MT
- Mark Sommer, TCF, Missoula, MT
- Mike Thompson, FWP R-2 Wildlife Manager, Missoula, MT
- Sharon Rose, FWP R-2, Comments Coordinator, Missoula, MT

8.0 REFERENCES

ADLC (Anaconda-Deer Lodge County). 2010. 2010 Growth Policy, Anaconda-Deer Lodge County. Anaconda-Deer Lodge County, Anaconda, MT.
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APPENDICES

- A. Draft Management Plan, Proposed Addition to Garrity Mountain Wildlife Management Area (2014)
- B. Garrity Mountain WMA Management Plan (2001)
- C. Integrated Pest Management Plan for Garrity Addition to Garrity Mountain WMA

Appendix A

Draft Management Plan

Proposed Addition to Garrity Mountain Wildlife Management Area

I. INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) proposes to purchase fee-title ownership of 640 acres (hereafter, the Garrity Addition) adjoining the Garrity Mountain Wildlife Management Area (WMA, Figures 1 and 2). This management plan (Appendix A), which is specific to the Garrity Addition, is generally consistent with and incorporates the original management plan prepared in 2001 for the Garrity Mountain WMA (Appendix B). It is a supplement designed to accommodate the Garrity Addition. FWP provides this draft plan to make clear the agency's direction for the parcel and to capture our current knowledge of the land for public consideration in the Environmental Assessment process.

The objectives for purchase of the Garrity WMA addition are:

- To protect and enhance critical elk calving grounds and winter range
- To protect and enhance other seasonal habitats for a diversity of fish and wildlife
- To establish and maintain public access and outdoor recreation opportunities
- To facilitate and complement management of the existing Garrity WMA
- To replace lost and injured resources that were the subject of Montana vs. ARCO

A. Acquisition Date

Pending public review, Commission approval, approval of the State Land Board, and the Governor's approval of Natural Resource Damage Program (NRDP) funding of \$1.36 million, FWP plans to acquire the property in the fall of 2014.

B. Chain of Ownership

The current owner is The Conservation Fund (TCF). TCF purchased the property on behalf of FWP in the spring of 2014. FWP would acquire fee-title to the Garrity Addition and all water and mineral rights associated with it.

C. Property Description.

The Garrity Addition is located approximately 2 miles west of Anaconda in the foothills between Warm Springs Creek and Mount Haggin. It is legally described as 640 acres in:

Government Lots 1, 2, 3, 4 and 5 located in Section 6, Township 4 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County, Montana as shown on Certificate of Survey 268-B.

The S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ located in Section 6, Township 4 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County as shown on Certificate of Survey No. 211-B.

Tract B, being a tract of land located in a portion of Section 32, Township 5 North, Range 11 West, P.M.M., Anaconda-Deer Lodge County, Montana, as shown on Certificate of Survey No. 325-B.

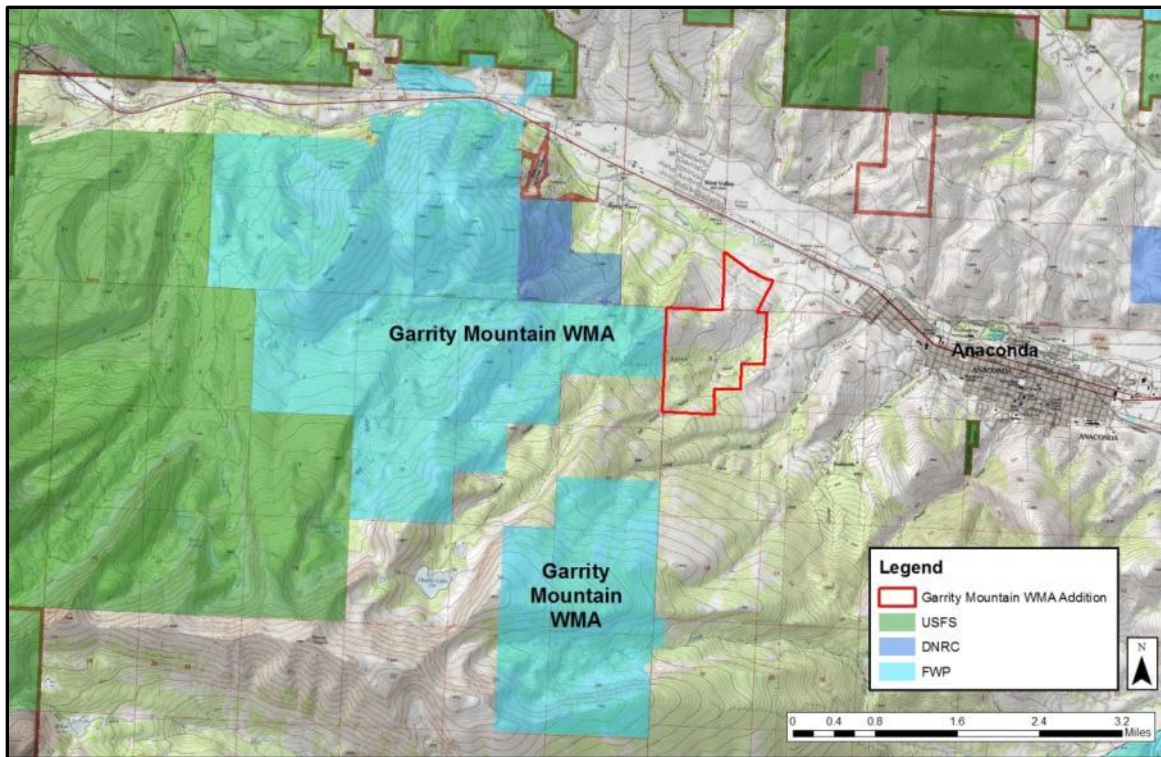


Figure 1. Garrity Addition in relation to Garrity Mountain WMA.

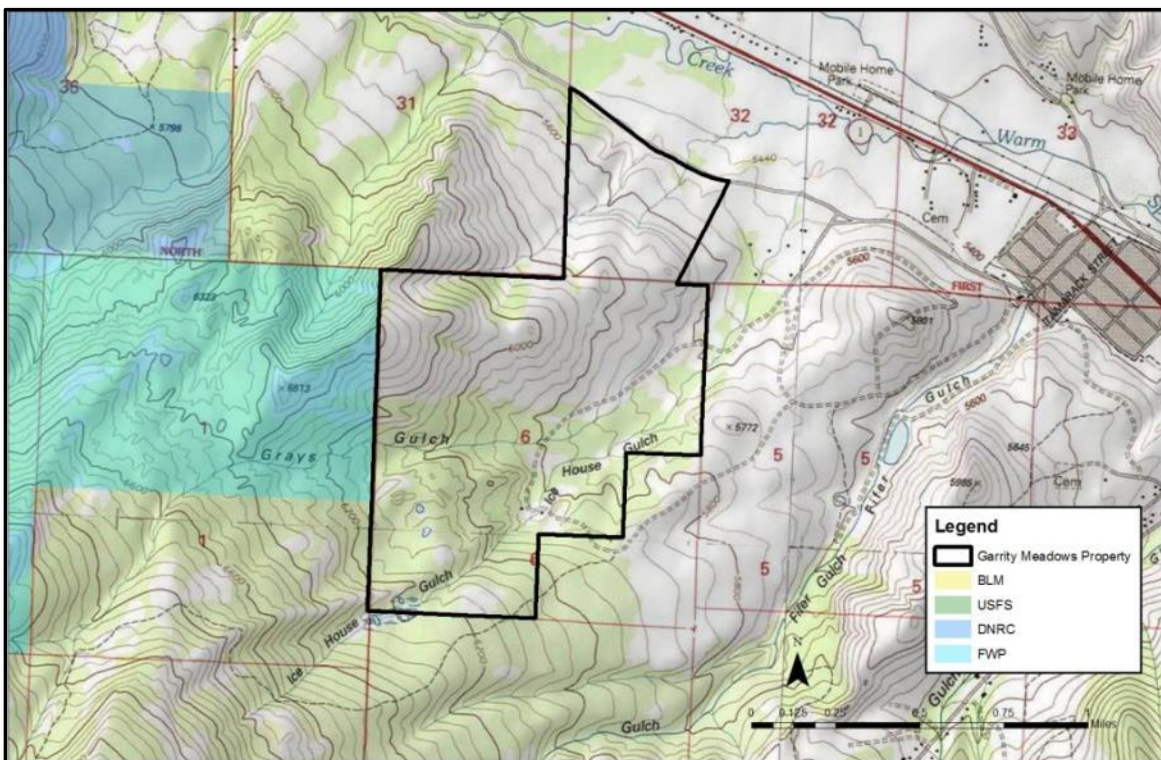


Figure 2. Garrity Addition topographic map

D. Landscape

The proposed addition adjoins Garrity Mountain WMA (9,475 acres) to the west, is ½ mile southeast of 480 acres of Department of Natural Resources (DNRC) land, 2 miles south of Stucky Ridge WMA (296 acres), and 5 miles north of Mount Haggin WMA (58,188 acres) (Figure 1). Thousands of acres of the Beaverhead-Deer Lodge National Forest in the Flint Creek Mountain Range to the north and the Anaconda-Pintler Range to the south dominate this landscape. Anaconda-Deer Lodge County leases an adjoining 4,734 acre parcel to the east, referred to as the Hearst Lake property.

E. Natural Resources

1. Wildlife

Grasslands and aspen stands on the Garrity Addition provide critical elk winter range for the majority of elk wintering between Georgetown Lake and Mill Creek and elk use the dense aspen stands for calving. One hundred fifty-one wildlife species (48 mammals, 97 birds, 4 amphibians, and 2 reptiles) have been verified near Anaconda in habitats similar to those found on the property. Almost half of the land is comprised of aspen groves, riparian, wetland or water; grasslands, shrublands, formerly irrigated pasture or meadows comprise the rest (Figure 3). Ice House Gulch, a small reservoir, and 2 ponds support riparian habitat. The Garrity Addition offers habitat for elk and a diversity of other wildlife species because aspen and riparian habitats provide ecological values in excess of their footprint on the landscape.



Figure 3. Aerial photo of Garrity Addition.

2. Fisheries

Ice House Gulch is the only perennial stream found on the property flowing 1.2 miles through the parcel. An additional 0.7 miles of ditch habitat may support fish. Less than 2 cubic feet/second (cfs) of water are carried by Ice House Gulch in the summer. It is mostly diverted, but at high flows is likely connected to Warm Springs Creek. A $\frac{3}{4}$ -acre reservoir and 2 small ponds are present. During a fish survey on June 4, 2014 moderate to high densities of small brook trout up to 6" were sampled in Ice House Gulch. The reservoir and ponds were not surveyed. The reservoir likely has brook trout in it as well as Columbia spotted frogs. Given the small size of the fish there is little opportunity for angling in Ice House Gulch.

II. MANAGEMENT OVERVIEW

Introduction

FWP would manage the Garrity Addition to maximize its value for wildlife while providing for seasonal, non-motorized recreational access. Conservation and enhancement of native grasslands and aspen stands for wintering and calving elk would take precedence over recreational opportunity. The Garrity Addition would be managed consistent with rules and regulations on nearby WMAs. Vegetation management would occur when there is opportunity to enhance habitat. FWP would act as a good neighbor to adjoining land owners by cooperating with fence maintenance, treating noxious weeds, providing road access consistent with existing easements or to facilitate management, or otherwise lending a hand.

A. Public Access

The public would have access to the Garrity Addition for hunting, fishing, trapping, hiking, wildlife watching, horseback riding, and other non motorized recreational pursuits from May 15 to December 1. (Trapping opportunity would be marginal as the only furbearers open to harvest in November are beaver, mink, muskrat, and otter and these species may not be found onsite). The property closure from December 2 through May 14 to would be to protect wintering elk. Rules and regulations would be consistent with those on the existing Garrity Mountain WMA, except that no motorized use would be allowed.

- ✓ *The Garrity Addition would be open to public use from noon on May 15 through December 1 for non-motorized travel and recreation.*
- ✓ *The WMA would be closed to mountain lion hunting during the winter and spring.*
- ✓ *Hunting would be allowed as per statewide regulations and regulations for Deer/Elk Hunting District 214, Moose Hunting District 214, and Black Bear Management Unit 216 (fall season and May 15 through June 15).*
- ✓ *Trapping would be allowed when the WMA is open to public recreation.*
- ✓ *There would be no roads open to motorized travel.*
- ✓ *Camping would be allowed.*
- ✓ *No firewood cutting or open fires would be allowed.*
- ✓ *Permits would be required for groups of more than 15 people.*
- ✓ *Pack in, pack out garbage, and litter would be mandated.*
- ✓ *Outfitting would be prohibited within the WMA.*
- ✓ *Commercial activities would be prohibited, except as authorized by permit, as specified by FWP's commercial use policy.*

Access Issues:

- Proximity to Anaconda. The property is just outside of town with access off a county road; as a result, FWP anticipates greater public use and potential for violation of travel rules than would occur on other nearby WMAs.
- Interest in yearlong recreation. Residents may have an interest in using the Garrity Addition when it is closed to pursue winter sports, trapping, lion hunting, or antler shed hunting. Public education regarding access rules and enforcement would be necessary.
- Illegal off-road vehicle travel may occur. FWP would have to place gates between the neighboring Hearst Lake property and the Garrity Addition to control motorized travel. Enforcement would be necessary, resulting in additional expenditures by FWP. FWP anticipates that the high visibility of the property would help to lessen the incidence of illegal motorized use or other travel violations.
- Hunting season displacement of big game. There is potential for elk and deer to be pushed off the property in hunting season due to high hunter use.
- Signage boundary and rules. It would be necessary to sign the property's boundaries and clearly post rules at the primary access point off South Cable Road.
- Information on the Garrity Addition would have to be available to the public onsite and online. FWP would post a map and rules online. An interpretive sign with a map of the Garrity Addition and rules would be located just inside of the fence along South Cable Road. Signage along the road would identify it as FWP property.

B. Habitat Management

1. Forest Management

FWP does not anticipate any timber management for at least the next decade. Little merchantable timber exists at the present time. If aspen stands are found to not be regenerating FWP would consider thinning aspen stands and encroaching conifers to stimulate new growth.

2. Livestock Grazing

Lease of the uplands of the Garrity Addition for livestock grazing is not anticipated. The Garrity Addition is relatively small with critical value for wintering and calving elk. Provision of forage for elk and retaining them on the property are essential. Placement of domestic livestock on the parcel would have the potential to displace elk and reduce winter forage that is already heavily utilized by elk. There is not currently any grazing on Garrity Mountain WMA and FWP holds the lease on the nearby 480 acres of DNRC property in order to avoid placement of livestock there.

3. Irrigation

FWP would upon purchase hold senior water rights for irrigation - a right to draw 1.25 cfs from Ice House Gulch for irrigation and two rights from Gray's Gulch: one for 1 cfs and another for 1.88 cfs. It is not clear if water is available from Grays' Gulch. FWP does not anticipate irrigating. Water associated with these water rights would be allowed to reach Warm Springs Creek where it would contribute to maintaining flows when they are most needed in the summer and early fall. These flows in turn would help maintain bull trout survival.

Habitat Management Issues:

- Down and old fencing present a hazard to wildlife. FWP is working with neighbors and volunteers to remove unnecessary fencing.
- Exterior fences are nonexistent in places. Exterior fences are not necessary adjoining the Garrity Mountain WMA. FWP would evaluate where boundaries may be marked by other means, check the location corner pins, and construct fence where necessary.
- There is heavy grazing pressure by elk. Monitoring would be necessary to assure that elk grazing is not adversely impacting range conditions. If elk populations exceed objective FWP will liberalize hunting regulations to reduce populations and impacts to range.
- Aspen stands are vulnerable to insect infestation. .

C. Noxious Weed Management

In compliance with 7-22-2151, MCA, FWP is required by state statute to develop a noxious weed management plan, have the plan approved by the county weed board, and provide a biennial report on weed management activities. FWP has developed a noxious weed management plan (Appendix C of Environmental Assessment), which has been approved by the county, in which we have committed to Integrated Pest Management (IPM). The IPM plan that was used on the Garrity Mountain WMA has been very successful. In June 2014 FWP completed a survey of the Garrity Addition and detected 28 acres of infestations or interspersions of weeds with native communities. Spotted knapweed was dominant with houndstongue and Canada thistle present to lesser degrees.

FWP's approach to weed management on the Garrity Addition would be to treat patches of noxious weeds using herbicides (Milestone, Tordon and Escort XP), evaluate the outcome, re-treat as necessary, and then use appropriate insects as biological controls to keep noxious weeds at low densities. The *Larinus* seed head weevil and *Cyphocleonus* root weevil would be released on spotted knapweed.

Issues:

- 28 acres of weed infestations are present with spotted knapweed predominant. FWP would treat these patches with herbicides in the spring of 2015.
- Coordination with neighboring private land-owners will be necessary to most effectively treat weeds across the area. As a good neighbor FWP will work with neighbors to control weeds.

D. Fire Suppression

Fire suppression on the Garrity Addition would be covered under existing cooperative agreements with the Department of Natural Resources and Anaconda-Deer Lodge County.

E. Good Neighbor

Maintaining positive and productive relationships with neighboring landowners is a core concern for FWP. FWP would cooperate with neighbors by honoring existing easements, allowing vehicle passage as necessary to facilitate management, repairing and constructing fence as needed, and controlling weeds.

Issues:

- The 2 major adjoining land-owners are absentee owners.
- Fences are down and boundaries unclear between properties.

- The Anaconda Deer Lodge County lease on the Hearst Lake property is uncertain.
- There is potential for subdivision of neighboring lands which would complicate FWP's management.

F. Maintenance and Budget

The Garrity Addition has no structures or other improvements. A jeep trail runs up Ice House Gulch from the former ranch headquarters and loops east through the Hearst Lake property. It is the only road on the property and is in good condition. Boundary fences are in disrepair or nonexistent. A jackleg fence that runs along ½-mile of South Cable Road forms the northern boundary. The western boundary is only partially fenced, fencing has not been observed on the southern boundary, and it is rare on the eastern boundary.

The lack of fencing on the western side where the parcel adjoins the WMA, and to the south, are not currently a detriment since no livestock are found on the adjoining lands and FWP is interested in maintaining ready passage for ungulates. FWP's intent for the Garrity Addition is to minimize fencing, road work, or other maintenance over the long term. To accomplish this FWP has requested \$80,000 in start-up funding from NRDP for use during the first 5 years. These funds would be used to construct fencing, control weeds, check the location of corner pins, secure and mark boundaries, build a parking area, and place an interpretive sign showing a map of the property and access rules.

Estimated start-up costs are:

- Fencing \$13,200/mile for up to 5 miles = \$66,000
- Parking Area for 8 vehicles = \$7,500
- Ground Spray \$38/acre for 28 acres and follow up work = \$2,100
- *Cyphocleonus* root weevils \$100 for 150 insects/per year for 5 years = \$500
- Gates \$250 each for 3 gates = \$750
- Interpretive sign = \$1,200
- Survey to check location of boundary pins= \$1,950
 - Total Estimated Start Up Costs= \$80,000

These initial expenditures made during the first 5 years of FWP ownership would cover the most significant costs associated with purchase of the property and providing for public use. Future expenditures to spot-spray weeds, bring in additional insects for biological control, repair fences, and sign the property would be necessary to manage the property to the satisfaction of FWP, our neighbors, and the public whom we serve.



Garrity Addition looking southeast. (Mark Sommer photo)

Appendix B.

GARRITY MOUNTAIN WILDLIFE MANAGEMENT AREA DRAFT MANAGEMENT PLAN May 2, 2001

INTRODUCTION

Phase one (5789 acres) of the Garrity Mountain/Clear Creek Wildlife Management Area was acquired in Feb. 2001. These lands were purchased through the Natural Resource Damage Program for the Montana Department of Fish, Wildlife & Parks from the Rocky Mountain Elk Foundation-YT Timber Company. Phase Two of the acquisition (3181 acres) is scheduled to proceed through the Natural Resource Damage Program during 2001 and be completed in 2002. This Management Plan is intended to apply to the entire property and is based on the assumption that Phase Two of the acquisition will be approved.

Garrity Mtn./Clear Creek WMA

	Garrity Mtn.	Clear Creek
Phase I	4343	1446
Phase II	2364	819
Total	6707	2265

The purpose of the WMA is to provide winter range for the Bighorn sheep herd, elk, mule deer and whitetail deer. Secondly, the WMA was purchased to improve habitat for other wildlife species and to enhance public recreational opportunities, watershed, and scenic vistas.

Phase One (5789 acres) of the WMA was purchased for \$3,763,207.50 from the Upper Clark Fork Basin Restoration Fund. This document is the first comprehensive Management Plan for the Garrity Mountain/Clear Creek WMA and will set the basic management direction established under the present circumstances. It is intended that this plan be updated periodically to maintain its flexibility.

Area Description

The Garrity Mountain/Clear Creek WMA involves two separate pieces of property. The Garrity Mtn. parcel covers a total of 6707 acres located on Garrity Mountain approximately three miles west of Anaconda, MT (Figure 1). Approximately 2400 acres of the area is open bunchgrass rangeland at elevations from 6,600 to 8,000 feet. The remaining 4300 acres are predominately second growth lodgepole pine. The Clear Creek parcel covers a total of 2265 acres at the head of the Clear Creek Drainage south of Anaconda. The Clear Creek property ranges from 6700 to 9000 feet in elevation. The two parcels are separated by a section of Butte Water Company lands.

GOAL

Manage for highly productive, diverse vegetative communities that will provide high quality forage and cover for native wildlife species, with an emphasis on bighorn sheep, elk, and mule deer, white-tailed deer winter/spring forage supplies; and manage for hunting and other recreational opportunities for the public and access to National Forest lands.

OBJECTIVE 1:

Prevent soil erosion and conserve and improve the vegetation communities, striving for maximum vegetation diversity dependent on soil types.

Problem 1: Incomplete vegetation analysis and documentation. At present there are no vegetation analysis transects to understand plant composition or forage production or utilization.

Strategy: Establish vegetation transects to determine plant community composition, monitor vegetation trends, forage production and utilization. Establish transects and/or enclosures and systematically collect data based on the recommendations of the Department's plant ecologist.

Problem 2: The purchase agreement negotiated by the Rocky Mountain Elk Foundation and YT Timber allows for the harvest of 5.2 million board feet of timber from the property until Dec. 2008. YT Timber will adhere to harvesting guidelines as per Exhibit B "Timber Harvest Policy" of the Purchase Agreement with annual review by the Dept. FWP and the RMNP. The extent and location of harvest will be at YT's discretion as defined in the Purchase agreement. Site specific management decisions will have to wait until timber harvest has been completed for any specific section.

Strategy: Monitor timber harvest activities and verify completion on specific sections. Develop appropriate management responses as timber harvest progresses and try to anticipate needed actions.

Problem 3: Control noxious weeds on the property.

Strategy: Annually evaluate range conditions and implement management practices that will improve range conditions and reduce soil erosion. Implement biological control measures for leafy spurge and evaluate chemical control options. Monitor timber harvest areas and access roads for the spread of noxious weeds. Manage to contain and reduce existing weed infestations and eradicate new species and infestations.

Strategy: All road construction equipment and equipment used in off road logging activity must be washed by the contractor and inspected by YT Forest Officer prior to entering the area to prevent direct transfer of weed seed to the site.

Problem 4: Trespass livestock. Boundary fences are incomplete or nonexistent.

Strategy: Prioritize fence construction needs. The initial emphases will be on the eastern boundary adjacent to private lands. Select fence type that requires minimal maintenance and poses the least hazard to wildlife movement. Inspect fences annually and work closely with neighbors on cooperative fence management.

Problem 5: Effects of public access. Increased public access, particularly with respect to vehicles, can result in habitat damage.

Strategy: Prohibit off road vehicle use. Restrict vehicle access to established road right of way as defined in Exhibit C to Amended Reciprocal Easement Agreement. Implement seasonal closures and provide adequate parking facilities and signing to protect WMA soils and vegetation. Proposed restrictions attached.

Problem 6: Fire Protection and Management

Strategy: The area is within the Anaconda Forest Fire Protection District and will be assessed by the DNRC.

Strategy: Adopt YT Fire Protection contract terms and ENRC Forest Fire Rules & Regulations for the WMA. (attached)

OBJECTIVE 2:

Manage for a wintering population of 50+ bighorn sheep, 200 elk and 100 mule deer; provide for upland game bird production and maintain existing nongame species.

Problem 1: Elk use of the WMA has been and is expected to increase. The major portion of this herd's winter range lies on the WMA and private lands to the east. This population has increased from 40 to 175 head in the past 12 years.

Strategy 1: Continue efforts to work with private landowner on public hunting access in order to control herd size. Acquisition of the WMA will ensure public hunting access on a portion of the range and provide additional hunting management options. Harvest sheep, elk and deer populations annually to maintain critical numbers at or within range capacity during all but the most severe winters.

Problem 2: The harvest of 5.2 million board feet of timber will significantly alter the habitat conditions on the Gentry Mountain property for bull elk security during the general hunting season. This along with an increase in public access may result in an increased harvest rate for bull elk in District 214.

Strategy 2: Monitor the harvest rate of bulls and post season bull/cow ratios as per the Elk Management Plan. Implement access restrictions and/or season changes as needed.

Objective 3:

Provide for public hunting and recreation.

Problem 1: Increased and/or unlimited public access may conflict with management objectives of providing high quality secure winter range.

Strategy 1: Establish seasonal travel and access restrictions to protect winter range values for big game species while providing reasonable access and recreational opportunities. Maintain information signs explaining the need for and actual travel restrictions. Close the WMA to public travel from: Dec. 1 - May 15, exception for Lion hunting: Dec. 1 - Dec 15.

Problem 2: Off road vehicle travel damages soils and vegetation.

Strategy 2: Prohibit off road vehicle travel. Restrict vehicular travel to designated open roads. Erect and maintain signs to inform the public of travel restrictions.

Problem 3: Conflicts have occurred in the past regarding vehicular hunting access between the general public and YT employees on the property.

Strategy 3: Prohibit YT employees or contractors from carrying firearms in their vehicles on state property during the general hunting seasons while they are engaged in timber harvest activity. No firearms or archery equipment will be allowed in vehicles on state property beyond areas closed to motorized vehicles.

Objective 4:

Manage habitat for a variety of upland game birds, predators and non game species.

Problem: Need to document species present.

Strategy 1: Develop a species list of resident and migratory species using the WMA by habitat type.

Strategy 2: Continue proper land management practices featuring high quality big game winter range which has and will provide for other species.

GARRITY MOUNTAIN

For the Garrity Mountain parcel two land management or habitat units are delineated for purposes of this Plan on the basis of topography, vegetation, wildlife use and other management considerations.

Winter Range Slopes and Basins - The WMA has approximately 2400 acres of bunchgrass rangelands. This type provide the important highhorn sheep, elk, mule deer and whitetail deer winter range. The primary grass species are rough fescue, Idaho fescue and bluebunch wheatgrass. These south/east facing slopes, basins and benches are the key component of this environment. These grasslands have not received domestic livestock grazing in the reported history of the area. They represent the native bunchgrass rangelands historically found in the Upper Clark Fork Basin.

Forested - The predominate timber type (4300 acres) found on the property is lodgepole pine. These represent second growth timber following extensive harvesting at the turn of the last century. This component provides important thermal and hiding cover for wintering elk. It also provides a diversity of habitat for a variety of other wildlife species. As part of the purchase agreement negotiated by the Rocky Mountain Elk Foundation and YF Timber, YF Timber will remove 5.2 million board feet of timber from the property. YF Timber will have until Dec. 2008 to complete their harvesting activities on the property.

CLEAR CREEK

The Clear Creek parcel has been broken into two habitat types for the purpose of the plan.

Forest types - A baseline inventory would be necessary to accurately delineate the specific timber types on this property. They would be characterized by Douglas fir at lower elevations and white bark pine/spruce higher at elevations.

Rock/Scrub - Approximately 700 acres of this parcel will be characterized as a rock/scrub type. This type is found on the higher elevation north slopes of Clear Creek and the west-side of Fifer Gulch.

Maps (attached)

MONITORING

Management Actions: Management actions will be evaluated through the MEPA process.

Vegetation: Vegetation transects will be established with the guidance of the Department's plant ecologist. These will be directed toward determining species composition, plant succession and forage production. The transects will be run annually or as they are established to monitor long term trends. Photos plots will be established to monitor vegetation trends over time.

Timber Harvest: Timber harvest volumes will be monitored according to Exhibit B "Timber Harvest Policy" of the Purchase Agreement. Bi-monthly harvest reports from YT will be reviewed. Annual inspections with YT Timber and the RMEF will monitor and map the area and extent of timber harvest. Photos points will be established by GPS units to establish vegetative recovery and trends in harvest areas.

Population: Numbers of bighorn sheep, elk, whitetailed deer and mule deer will be monitored by fixed wing aircraft, helicopter, and ground observations during the winter and spring. Monthly observations will be used to determine total use and correlated to forage production to refine population objectives for the WMA.

Public use: Man days of use will be determined by public contact and traffic counters. This information will be used to determine travel and seasonal restrictions.

Appendix C

Integrated Pest Management Plan for Garrity Addition to Garrity Mountain WMA

Montana Fish, Wildlife & Parks (FWP) is proposing to purchase from The Conservation Fund, 640 acres of property that adjoin the Garrity Mountain Wildlife Management Area (WMA). The property lies approximately 2 miles west of Anaconda, Montana off the South Cable [Stumptown] Road. Gray's and Ice House Gulches are on the property which is located at T5N R11W Section 32, southwest portion and T4N R11W Section 6 southwest, northwest, and northeast portions. This addition will help protect valuable wildlife habitat.

In compliance with 7-22-2151, MCA, FWP is required by state statute to develop a noxious weed management plan, have the plan approved by the county weed board, and provide a biennial report on weed management activities. FWP is committed to an Integrated Pest Management (IPM) approach in its weed management on this property. FWP has been pro-active in the use of an IPM plan on the Garrity Mountain WMA and other WMAs within close proximity to the proposed purchase with excellent success.

FWP surveyed the 640 acre parcel for noxious weeds and approximates 28 acres of infestations or small patches of weeds. Spotted knapweed is the most dominate noxious weed found followed by hound's tongue and Canada thistle. The following are the herbicides and application rates that will be used for the chemical application.

- Milestone @ 6 ounces/ per acre
- Tordon 22k @ 1 ½ pints/ per acre
- Escort XP @ 1 ½ ounces/ per acre

Both FWP and their contracted herbicide applicators will use the proper chemical products and the required rate of application in compliance of all label directions. FWP and their contractors will use newly introduced products as they become available. FWP will hand-pull, bag, and properly dispose noxious weeds when applicable.

FWP may also use biological control insects to avoid risk of injury to native forbs and other plants. The following biological control insects may be released on spotted knapweed.

- *Larinus* seed head weevil
- *Cyphocleonus* root weevil

FWP and their contractors will annually map all treated sites within the boundary of the addition and record whether sites were chemically, biologically, or otherwise treated. This reporting will include the rate of chemical application and or number of biological control insects released.

As with all FWP lands located in Region 2 in Montana, this property will be managed in accordance with the FWP Statewide Weed Management Plan (June 2008) and County Weed Management Agreement.

/s/ Michael Stuart July 25, 2014
Michael Stuart
Anaconda/Deer Lodge County
Weed Supervisor

/s/ David J. Dziak July 25, 2014
David J. Dziak
Montana Fish, Wildlife and Parks Region 2